

CHARTER OF THE CITY OF SAN DIEGO

Section 117

1. Original Charter section approved by voters April 7, 1931

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the unclassified and classified service, as follows:

THE UNCLASSIFIED SERVICE shall include all elective positions and the following administrative offices:

A confidential Secretary to the Mayor; City Manager, a confidential Secretary and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Superintendent of Playgrounds and Recreation; City Librarian; Chief of Police and a confidential Secretary; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; The Hydraulic Engineer in charge of the Division of Development and Conservation, in the Department of Water; The Superintendent of Distribution of Water; Director of Public Health, and confidential Secretary; Director of Social Welfare; Officers and Employees of the San Diego School District; Members of all Commissions and Advisory Boards who serve the City without compensation.

THE CLASSIFIED SERVICE shall comprise all positions not specifically included by this Charter in the unclassified service.

2. Amendment voted 03-13-1945; effective 04-09-1945

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the unclassified and classified service, as follows:

THE UNCLASSIFIED SERVICE shall include all elective positions and the following administrative offices:

A confidential Secretary to the Mayor; City Manager, a confidential Secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Superintendent of Playgrounds and Recreation; City Librarian; Chief of Police and a confidential Secretary; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; The Hydraulic Engineer in charge of the Division of Development and Conservation, in the Department of Water; The Superintendent of Distribution of Water; Director of Public Health, and a Confidential Secretary; Director of Social Welfare; Officers and Employees of the San

Diego School District; Members of all Commissions and Advisory Boards who serve the City without compensation.

THE CLASSIFIED SERVICE shall comprise all positions not specifically included by this Charter in the unclassified service.

3. Amendment voted 03-11-1947; effective 03-24-1947

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the unclassified and classified service, as follows:

THE UNCLASSIFIED SERVICE shall include all elective positions and the following administrative offices:

A Confidential Secretary to the Mayor; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; City Librarian; Chief of Police; Director of Operations of Police Department; Director of Service of Police Department; Confidential Secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; Director of the Water Department; Hydraulic Engineer; Superintendent of Maintenance and Operation of the Water Department; Director of Public Health, a Confidential secretary to the Director of Public Health; Director of Social Welfare; Officers and Employees of the San Diego Unified School District; Members of all Commissions and Advisory Boards who serve the City without compensation.

THE CLASSIFIED SERVICE shall comprise all positions not specifically included by this Charter in the unclassified service.

4. Amendment voted 04-17-1951; effective 05-03-1951

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the unclassified and classified service, as follows:

THE UNCLASSIFIED SERVICE shall include all elective positions and the following administrative offices:

A Confidential Secretary to the Mayor; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; City Librarian; Chief of Police; Chief Inspector in the Department of Inspection; Director of Operations of Police Department; Director of Service of Police Department; Confidential Secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director

of Public Works; Director of the Water Department; Hydraulic Engineer; Superintendent of Maintenance and Operation of the Water Department; Director of Public Health; a Confidential Secretary to the Director of Public Health, Director of Social Welfare; Officers and Employees of the San Diego Unified School District; Members of all Commissions and Advisory Boards who serve the City without compensation.

THE CLASSIFIED SERVICE shall comprise all positions not specifically included by this Charter in the unclassified service.

5. Amendment voted 04-21-1953; effective 05-29-1953

Section 117. The administrative service of the City is hereby divided into the unclassified and classified service, as follows:

THE UNCLASSIFIED SERVICE shall include all elective positions and the following administrative offices:

A Confidential Secretary to the Mayor; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; City Librarian; Chief of Police; Director of Building Inspection; Director of Operations of Police Department; Director of Service of Police Department; Confidential Secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; Director of the Water Department; Hydraulic Engineer; Superintendent of Maintenance and Operation of the Water Department; Director of Public Health; A Confidential Secretary to the Director of Public Health; Director of Social Service; Officers and Employees of the San Diego Unified School District; Members of all Commissions and Advisory Boards, who serve the City without compensation.

THE CLASSIFIED SERVICE shall comprise all positions not specifically included by this Charter in the unclassified service.

6. Amendment voted 06-08-1954; effective 01-10-1955

Section 117. CLASSIFICATION. The administrative serve of the City is hereby divided into the unclassified and classified service, as follows:

THE UNCLASSIFIED SERVICE shall include all elective positions and the following administrative offices:

Assistant to the Mayor; a Confidential Secretary to the Mayor; City Manager, a Confidential Secretary, one Assistant Manger and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; Director of Mission Bay Park; City Librarian; Chief of Police; Director of Building Inspection; Director of Operations of Police Department; Director of Service of Police Department; Confidential

Secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; Director of the Water Department; Hydraulic Engineer; Superintendent of Maintenance and Operation of the Water Department; Director of Public Health; a Confidential Secretary to the Director of Public Health; Director of Social Service; Officers and Employees of the San Diego Unified School District; Member of all Commissions and Advisory Boards, who serve the City without compensation.

THE CLASSIFIED SERVICE shall comprise all positions not specifically included by this Charter in the unclassified service.

7. Amendment voted 11-06-1956; effective 01-10-1957

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the Unclassified and Classified Service, as follows:

The Unclassified Service shall include all elective positions and the following administrative offices:

Assistant to the Mayor; a confidential secretary to the Mayor; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; Director of Mission Bay Park; City Librarian; Chief of Police; Director of Building Inspection; Director of Operations of Police Department; Director of Service of Police Department; confidential secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; Director of the Water Department; Hydraulic Engineer; Superintendent of Maintenance and Operation of the Water Department; Director of Public Health; a confidential secretary to the Director of Public Health; Director of Social Service; Industrial Coordinator; officers and employees of the San Diego Unified School District; members of all Commissions and Advisory Boards who serve the City without compensation.

The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service.

8. Amendment voted 04-16-1957; effective 05-15-1957

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the Unclassified and Classified Service, as follows:

The Unclassified Service shall include all elective positions and the following administrative offices:

Assistant to the Mayor; a confidential secretary to the Mayor; a confidential secretary to the City Council; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; Director of Mission Bay Park; City Librarian; Chief of Police; Director of Building Inspection; Director of Operations of Police Department; Director of Service of Police Department; a confidential secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Public Works; Director of the Water Department; Hydraulic Engineer; Superintendent of Maintenance and Operation of the Water Department; Director of Public Health; Director of Social Service; Industrial Coordinator; officers and employees of the San Diego Unified School District; members of all Commissions and Advisory Boards who serve the City without compensation.

The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service.

9. Amendment voted 04-21-1959; effective 05-20-1959

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the Unclassified and Classified Service, as follows:

The Unclassified Service shall include all elective positions and the following administrative offices:

Assistant to the Mayor; a Confidential Secretary to the Mayor; a Confidential Secretary to the City Council; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; Director of Mission Bay Park; City Librarian; Chief of Police; TWO DEPUTY POLICE CHIEFS; Director of Building Inspection; a Confidential Secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; ASSISTANT CITY ENGINEER; An Assistant to and All Deputies of the City Attorney; City Treasurer; DIRECTOR OF OPERATIONS; Director of Public Works; ASSISTANT PUBLIC WORKS DIRECTOR; Director of Public Health; Director of Social Service; DIRECTOR OF UTILITIES; Industrial Coordinator; Officers and Employees of the San Diego Unified School District; Members of all Commissions and Advisory Boards who serve the City without compensation.

The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service.

10. Amendment voted 06-07-1960; effective 01-09-1961

Section 117. CLASSIFICATION. The administrative service of the City is hereby divided into the Unclassified and Classified Service, as follows:

The Unclassified Service shall include all elective positions and the following administrative offices:

Assistant to the Mayor; Confidential Secretary to the Mayor; Confidential Secretary to the City Council; City Manager, a confidential secretary, one Assistant Manager and two Assistants to the Manager; City Clerk; City Auditor and Comptroller; Park and Recreation Director; Assistant Park and Recreation Director; Director of Mission Bay Park; City Librarian; Chief of Police; two Deputy Police Chiefs; Director of Building Inspection; Confidential Secretary to the Chief of Police; Chief of Fire Department; Budget Officer; Purchasing Agent; Personnel Director; City Engineer; Assistant City Engineer; an Assistant to and all Deputies of the City Attorney; City Treasurer; Director of Operations; Director of Public Works; Assistant Public Works Director; Director of Public Health; Director of Social Service; Director of Utilities; Industrial Coordinator; officers and employees of the San Diego Unified School District; and members of all Commissions and Advisory Boards who serve the City without compensation.

The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service.

11. Amendment voted 09-17-1963; effective 02-11-1964

Section 117. UNCLASSIFIED AND CLASSIFIED SERVICES. Employment in the City shall be divided into the Unclassified and Classified Service.

(a) The Unclassified Service shall include:

1. All elective City Officers
2. Members of all boards and commissions
3. All department heads and one principal assistant or deputy in each department
4. One assistant to Mayor
5. City Manager, Assistant City Manager, and Assistants to the City Manager
6. City Clerk
7. Budget Officer
8. Purchasing Officer
9. Treasurer
10. All Assistant and Deputy City Attorneys

11. Industrial Coordinator
12. The Planning Director
13. A Confidential Secretary to the Mayor, City Council, City Manager, Police Chief, City Attorney
14. Officers and employees of San Diego Unified School District
15. Persons employed in positions for expert professional temporary service when such positions are exempted from the Classified Service for a special period of temporary service by order of the Civil Service Commission
16. Interns including, but not limited to, Administrative Interns and Legal Interns, temporarily employed in regularly established training programs as defined in the job specifications of the City.

(b) The Classified Service shall include all positions not specifically included by this section in the Unclassified Service; provided, however, that the incumbents in the positions of the Planning Director and the Principal Assistant to the Planning Director on January 1, 1963 shall remain in the Classified Service until the respective positions are vacated by the incumbents.

12. Amendment voted 11-06-1979; effective 12-17-1979

Section 117. UNCLASSIFIED AND CLASSIFIED SERVICES.

Employment in the City shall be divided into the Unclassified and Classified Service.

(a) The Unclassified Service shall include:

1. All elective City Officers
2. Members of all boards and commissions
3. All department heads and one principal assistant or deputy in each department
4. One assistant to Mayor
5. City Manager, Assistant City Manager, and Assistants to the City Manager
6. City Clerk
7. Budget Officer
8. Purchasing Officer
9. Treasurer
10. All Assistant and Deputy City Attorneys
11. Industrial Coordinator
12. The Planning Director
13. A Confidential Secretary to the Mayor, City Council, City Manager, Police Chief, City Attorney
14. Officers and employees of San Diego Unified School District

15. Persons employed in positions for expert professional temporary service when such positions are exempted from the Classified Service for a special period of temporary service by order of the Civil Service Commission
 16. Interns including, but not limited to, Administrative Interns and Legal Interns, temporarily employed in regularly established training programs as defined in the job specifications of the City.
 17. Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council.
- (b) The Classified Service shall include all positions not specifically included by this section in the Unclassified Service; provided, however, that the incumbents in the positions of the Planning Director and the Principal Assistant to the Planning Director on January 1, 1963 shall remain in the Classified Service until the respective positions are vacated by the incumbents.

13. Amendment voted 11-07-2006; effective 12-13-2006

117. Unclassified and Classified Services

Employment in the City shall be divided into the Unclassified and Classified Service

- (a) The Unclassified Service shall include:
1. All elective City Officers
 2. Members of all boards and commissions
 3. All department heads and one principal assistant or deputy in each department
 4. One assistant to Mayor
 5. City Manager, Assistant City Manager, and Assistants to the City Manager
 6. City Clerk
 7. Budget Officer
 8. Purchasing Officer
 9. Treasurer
 10. All Assistant and Deputy City Attorneys
 11. Industrial Coordinator
 12. The Planning Director
 13. A Confidential Secretary to the Mayor, City Council, City Manager, Police Chief, City Attorney

14. Officers and employees of San Diego Unified School District
15. Persons employed in positions for expert professional temporary service when such positions are exempted from the Classified Service for a specified period of temporary service by order of the Civil Service Commission
16. Interns including, but not limited to, Administrative Interns and legal Interns, temporarily employed in regularly established training programs as defined in the job specifications of the City
17. Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council.

(b) The Classified Service shall include all positions not specifically included by this section in the Unclassified Service; provided, however, that the incumbents in the positions of the Planning Director and the Principal Assistant to the Planning Director on January 1, 1963 shall remain in the Classified Service until the respective positions are vacated by the incumbents.

(c) The City may employ any independent contractor when the City Manager determines, subject to City Council approval, City services can be provided more economically and efficiently by an independent contractor than by persons employed in the Classified Service while maintaining service quality and protecting the public interest. The City Council shall by ordinance provide for appropriate policies and procedures to implement this subsection. Such ordinance shall include minimum contract standards and other measures to protect the quality and reliability of public services. A City department shall be provided with an opportunity and resources to develop efficiency and effectiveness improvements in their operations as part of the department's proposal. The City Manager shall establish the Managed Competition Independent Review Board to advise the City Manager whether a City department's proposal or an independent contractor's proposal will provide the services to the City most economically and efficiently while maintaining service quality and protecting the public interest. The City Manager will appoint seven (7) members to the Board. Four (4) shall be private citizens whose appointments shall be subject to City Council confirmation. Each shall have professional experience in one or more of the following areas: finance, law, public administration, business management or the service areas under consideration by the City Manager. Three (3) shall be City staff including a City Manager staff designee, a City Council staff designee and the City Auditor and Comptroller or staff designee. Such appointees shall not have any personal or financial interests which would create conflict of interests with the duties of a Board member. Members of the Board shall be prohibited from entering into a contract or accepting employment from an organization which secures a City contract through the managed competition process for the duration of the contract. The City Council shall have the authority to accept or reject in its entirety any proposed agreement with an

independent contractor submitted by the City Manager upon recommendation of the Managed Competition Independent Review Board. The City Manager shall have the sole responsibility for administering and monitoring any agreements with contractors. The City Manager shall be required to produce annual performance audits for contracted services, the cost of which must be accounted for and considered during the bidding process. In addition, the City Manager shall seek an independent audit every five (5) years to evaluate the City's experience and performance audits. During the period of time that the City operates under the Strong Mayor form of governance pursuant to Article XV, the reference herein to City Manager shall be deemed to refer to the Mayor.

14. Amendment voted 06-03-2008; effective 07-08-2008

Section 117: Unclassified and Classified Services

Employment in the City shall be divided into the Unclassified and Classified Service.

- (a) The Unclassified Service shall include:
 - (1) All elective City Officers
 - (2) Members of all boards and commissions
 - (3) All department heads and one principal assistant or deputy in each department
 - (4) One assistant to Mayor
 - (5) City Manager, Assistant City Manager, and Assistants to the City Manager
 - (6) City Clerk
 - (7) Chief Financial Officer, Independent Budget Analyst, and City Auditor
 - (8) Purchasing Officer
 - (9) Treasurer
 - (10) All Assistant and Deputy City Attorneys
 - (11) All Assistants and deputies to the Independent Budget Analyst, and all Assistants and deputies to the City Auditor
 - (12) The Planning Director

- (13) A Confidential Secretary to the Mayor, City Council, City Manager, Police Chief, City Attorney
 - (14) Officers and employees of San Diego Unified School District
 - (15) Persons employed in positions for expert professional temporary service when such positions are exempted from the Classified Service for a specified period of temporary service by order of the Civil Service Commission
 - (16) Interns including, but not limited to, Administrative Interns and legal Interns, temporarily employed in regularly established training programs as defined in the job specifications of the City
 - (17) Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council.
- (b) The Classified Service shall include all positions not specifically included by this section in the Unclassified Service; provided, however, that the incumbents in the positions of the Planning Director and the Principal Assistant to the Planning Director on January 1, 1963 shall remain in the Classified Service until the respective positions are vacated by the incumbents.
 - (c) The City may employ any independent contractor when the City Manager determines, subject to City Council approval, City services can be provided more economically and efficiently by an independent contractor than by persons employed in the Classified Service while maintaining service quality and protecting the public interest. The City Council shall by ordinance provide for appropriate policies and procedures to implement this subsection. Such ordinance shall include minimum contract standards and other measures to protect the quality and reliability of public services. A City department shall be provided with an opportunity and resources to develop efficiency and effectiveness improvements in their operations as part of the department's proposal. The core public safety services provided by police officers, firefighters, and lifeguards who participate in the City's Safety Retirement System shall not be subject to Managed Competition. The City Manager shall establish the Managed Competition Independent Review Board to advise the City Manager whether a City department's proposal or an independent contractor's proposal will provide the services to the City most economically and efficiently while maintaining service quality and protecting the public interest. The City Manager will appoint seven (7) members to the Board. Four (4) shall be private citizens whose appointments shall be subject to City Council confirmation. Each shall

have professional experience in one or more of the following areas: finance, law, public administration, business management or the service areas under consideration by the City Manager. Three (3) shall be City staff including a City Manager staff designee, a City Council staff designee and the City Auditor and Comptroller or staff designee. Such appointees shall not have any personal or financial interests which would create conflict of interests with the duties of a Board member. Members of the Board shall be prohibited from entering into a contract or accepting employment from an organization which secures a City contract through the managed competition process for the duration of the contract. The City Council shall have the authority to accept or reject in its entirety any proposed agreement with an independent contractor submitted by the City Manager upon recommendation of the Managed Competition Independent Review Board. The City Manager shall have the sole responsibility for administering and monitoring any agreements with contractors. The City Manager shall be required to produce annual performance audits for contracted services, the cost of which must be accounted for and considered during the bidding process. In addition, the City Manager shall seek an independent audit every five (5) years to evaluate the City's experience and performance audits. During the period of time that the City operates under the Strong Mayor form of governance pursuant to Article XV, the reference herein to City Manager shall be deemed to refer to the Mayor.

15. Amendment voted 11-02-2010; effective 12-22-2010

See current Charter.